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**Agenda Item: 5**  
**Meeting Date: June 15, 2006**

## **CALIFORNIA BAY-DELTA AUTHORITY**

### **CONSIDERATION OF A RESOLUTION DELEGATING AUTHORITY TO THE DIRECTOR TO TAKE ALL ADMINISTRATIVE ACTIONS NECESSARY, INCLUDING THE TRANSFER OF AUTHORITY STAFF AND RESOURCES, TO IMPLEMENT CALFED REORGANIZATION**

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**Summary:** At its December 20, 2005 meeting, the California Bay-Delta Authority approved and forwarded to the Secretary for Resources a 10-Year Action Plan Framework for the CALFED Program, incorporating, among other things, many of the recommendations of the Little Hoover Commission regarding reorganization of CALFED governance and administration. On April 20, 2006, the Secretary released the full 10-Year Action Plan. On June 5, 2006, the Legislative Conference Committee on the Budget adopted for inclusion into the 2006-07 Budget Bill and a companion budget trailer bill, a variation of the Secretary's reorganization plan with respect to Program staffing and resources. Numerous administrative actions will need to be taken by the Authority in upcoming months in order to efficiently implement the Legislature's directive, which would take effect upon enactment of the Budget.

**Recommended Action:** Adopt the attached Resolution 06-06-02, delegating authority to the Director to take all administrative actions necessary, including the transfer of staff and resources, consistent with the Legislature's reorganization plan for CALFED.

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At its first meeting in August 2003, the California Bay-Delta Authority delegated general authority to its Director to administer the affairs of the Authority, including authority to enter into contracts and grants up to a specified amount, and to execute or accept assignments of contracts and grants. However, in exercising that delegated authority, the Director is still required to bring to the Authority matters of a unique or unusual nature, including matters involving significant policy questions. (See CBDA Resolution No. 03-08-01).

At its December 20, 2005, meeting, the Authority approved and forwarded to the Secretary for Resources a 10-Year Action Plan Framework for the CALFED Program, which, among other things, incorporated many of the recommendations of the Little Hoover Commission regarding reorganization of CALFED governance and administration.

On April 20, 2006, the Secretary—upon consideration of the Framework and other stakeholder recommendations-- released a full 10-Year Action Plan that called for, among other things, dissolution of the Authority board and transfer of Authority staff and resources to the Resources Agency to provide staffing and program support for a newly-established interagency coordination group, under the direction of the Secretary for Resources, and for transfer of management responsibility of the ecosystem restoration program to the Department of Fish and Game.

As part of the State Budget process, the respective legislative budget committees considered the components of the 10-Year Action, with particular emphasis on Program staffing and resources, and on June 5, 2006, agreed in Conference Committee on a CALFED reorganization plan to be included in the 2006-07 Budget Bill and a companion budget trailer bill. The Legislature's plan, which will take effect upon enactment of the budget, will transfer CBDA staff and resources to do the following:

1. Transfer program management responsibility for the CALFED Science Program from CBDA to the Secretary for Resources.
2. Transfer to the Secretary for Resources responsibility to provide staffing and administrative support for the various current duties of the Authority board (which will be carried out by CBDA staff transferred to the Department of Forestry and Fire Protection, which serves as the current contracted fiscal agent for the Secretary).
3. Transfer full program management responsibility for the CALFED Ecosystem Restoration Program from CBDA to the Department of Fish and Game (which, under current law, is the implementing agency for that program element).

Apart from the Science Program transfer, all other CALFED program elements will continue to be implemented by the implementing agencies specified in existing law. The Authority board and the CALFED public processes currently underway will continue until more comprehensive CALFED governance legislation is enacted in the future.

It is anticipated that a host of administrative actions will be necessary in the upcoming months to carry out this reorganization, including the assignment of hundreds of CBDA contracts and grant agreements to the Resources Agency and, with regard to the Ecosystem Restoration Program, to the Department of Fish and Game. The attached resolution would supplement administrative authority previously delegated to the CBDA Director, authorizing him to take all administrative actions necessary to implement the Legislature's reorganization plan.

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**List of Attachments**

Resolution 06-06-02

**Contact**

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## **CALIFORNIA BAY-DELTA AUTHORITY**

### **RESOLUTION 06-06-02**

#### **DELEGATING AUTHORITY TO THE DIRECTOR TO TAKE ALL ADMINISTRATIVE ACTIONS NECESSARY, INCLUDING THE TRANSFER OF AUTHORITY STAFF AND RESOURCES, TO IMPLEMENT THE LEGISLATURE'S CALFED REORGANIZATION PLAN**

**WHEREAS**, in light of the challenges facing the CALFED Bay-Delta Program, the Governor, as part of his May Revision of the 2005-06 State Budget, set forth a three-point plan to allow the CALFED Program to move forward and focus on addressing the highest priority issues associated with the conflicts in the Delta:

- an independent fiscal and management review, including an independent review of CALFED governance conducted by the Little Hoover Commission
- a refocusing of efforts on solving conflicts associated with Delta water supply, water quality, levee stability, and the environment
- the development of a 10-Year Action Plan for CALFED, including a funding plan consistent with the beneficiaries-pay principle; and

**WHEREAS**, at its December 20, 2005, meeting, the California Bay-Delta Authority approved and forwarded to the Secretary for Resources for his consideration a 10-Year Action Plan Framework, which, among other things, incorporated many of the recommendations of the Little Hoover Commission regarding reorganization of CALFED governance and administration; and

**WHEREAS**, on April 20, 2006, the Secretary for Resources—upon consideration of the Action Plan Framework forwarded by the Authority and other stakeholder recommendations-- released a full 10-Year Action Plan for the CALFED Program; and

**WHEREAS**, as part of the State budget process, the respective legislative budget committees considered staffing and resource allocation proposed in the 10-Year Action Plan, and on June 5, 2006, adopted in Conference Committee a CALFED reorganization plan for inclusion in the 2006-07 Budget Bill and in an accompanying trailer bill; and

**WHEREAS**, the Legislature's reorganization plan, in pertinent part, will transfer Authority staff and resources necessary to do the following: (1) transfer management responsibility for the Science Program from the Authority to the Secretary for Resources; (2) transfer responsibility for administrative support of the Authority board to the Secretary (to be carried out using Authority staff transferred to the Department of Forestry and Fire Protection); and (3) transfer management responsibility for the Ecosystem Restoration Program from the Authority to the Department of Fish and Game; and

**WHEREAS**, it is anticipated that there will be a need for the Director in the next several months to take many administrative actions, including the assignment of hundreds of contracts and grant agreements to the Resources Agency and to the Department of Fish and Game, to implement this reorganization;

**NOW, THEREFORE, BE IT RESOLVED** that the Director is hereby delegated the authority to take whatever administrative actions are necessary, including the transfer of Authority staff and resources, to implement the Legislature's reorganization plan for CALFED; and

**BE IT FURTHER RESOLVED** that, the authority delegated hereby is in addition to general authorities delegated to the Director by Resolution No. 03-08-01.

#### **CERTIFICATION**

The undersigned Assistant to the California Bay-Delta Authority does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Bay-Delta Authority held on June 15, 2006.

**Dated:**\_\_\_\_\_

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**Julie E. Alvis**  
**Assistant to the California Bay-Delta Authority**